

**United States Government  
National Labor Relations Board  
OFFICE OF THE GENERAL COUNSEL**

## Advice Memorandum

DATE: May 28, 1997

TO : Robert H. Miller, Regional Director  
Region 20

FROM : Barry J. Kearney, Associate General Counsel  
Division of Advice

SUBJECT: ARAMARK  
Case 20-CA-27599

This Section 8(a)(5) and (1) case was submitted for advice as to: (1) whether the district manager's preliminary discussions with the Union preclude Aramark from unilaterally implementing new terms and conditions of employment at the time of hiring; (2) whether former employees constitute the necessary majority of Aramark's employees so as to make Aramark a successor of Sunny's; and (3) whether it would effectuate the purposes and policies of the Act to issue complaint in this case since Aramark discontinued operations at the facility and the unilateral changes were "relatively inconsequential."

The Region is authorized to issue complaint in the captioned case for the reasons set forth in the Request for Advice.

B.J.K.